# THE CHILBAN QUESTION.

Correspondence Between the British Ambassador and the Spanish Foreign Minister.

Important Questions of Maritime Law.

England's Protest Against the Privateering Order of the Spanish Government.

### **18 PRIVATEERING PIRACY?**

HARD RUBS AT BRITISH NEUTRALITY

SIR JOHN CRAMPTON TO SENOR CASTRO.
MADRID, Nov. 25, 18 Madrin, Nov. 25, 1865.

Referring to the communication which I made to his Excellency the President of the Council sters, on the 21st inst., relative to the rupture of tic relations between the Spanish and Chilean ments. I now beg to inform your Excellency have received instructions to communicate to rerument of her Catholic Majesty copies of the saddressed to her Britannic Majesty's government by the Chamber of Commerce in England, expressit apprehensions of the disastrous consequences interests that may result from the present state between Spain and Chile.

meen to incline her to settle the question by an amicable ad honorable arrangement. While reciprocating the wishes expressed by your Excilency on behalf of the important interests of comerce i must point out that Spain has, from the beginning, endeavored, and will always endeavor, to avert the juries arising from war, so far as it is possible to effect its. The instructions given to the Spanish cruisers, now nown to the public and also communicated to the diploatic corpe resident in Chile, demonstrate the real sprint the government in this matter. It will not be, therefore, her Majesty's government that will be the cause of no inevitable damage that may be directly or indirectly affered by neutral commerce, if the present conflict in the republic of Chile should assume greater proportions—a conflict for which, neither in itself nor in its fassequences, can the Spanish government accept any sponsibility.

esty's government is, nevertheless, of opinion not be expected that foreign governments, whose e itable to be treated as pirales, by virtue of the us above mentioned, will acquire in such meas-ceive, &c. JOHN F. CRAMPTON. Receive, &c. .

SENOR CASTRO TO SIR JOHN CRAMPTON.

MAPRID, Dec. 11, 1865

lency's note of the 5th inst., upon the subject of the error published in the Gazeite of the 28th uit., relative to the treatment of Chilean privateers who may not fulfil the conditions specified in that order. Your Excellency informs me that her Majesty's government consider these instructions contrary to international law, which has never considered as pirates the subjects of a mation who in time of war may enter the service of another nation. From what your Excellency further states I learn that your government, and the foreign governments whose subjects may be treated as pirates ander the instructions in question, consider that they wannot acquiesce in such a course of procedure.

To avoid doubt and better express the opinion of her Britannie Majesty's government it would have been expedient had your Excellency specially mentioned the principle upon tokich projection is claimed for those who carry on priestering, "that securge of humanity and a legal and organized princy," as it is so elequently described by Lord Charendon himself, present Minister for Foreign Affairs. It would have been so much the more expedient to cite this principle, indemnach as the authors of greatest repute who have verifien upon internatival loss generally hold opinions differing from those non mahemand by the English government.

If the privateers, citizens of a nautral nation, say Pistoye and Duverdy (Maritime Prises, pp. 173, 174, 179), "are authorized by their government to take out letters of marque from one of the belligerents, such, when capeared, should be treated as prisoners of war, observance of the laws of neutrality being required from their government. If, on the goontary, those individuals have accepted letters of marque disregarding the laws of their country, and are afterwards captured, then without doubt they must be treated as prisoners of war, observance of the laws of neutrality being required from their government. If, on the goontary, those individuals have accepted letters of marque disregarding the laws of t

nevertheless, reserves to herself this right whenever see may deem it expedient to put it into practice.

England herself declared as far back as 1794 by her treaty with the United States, that the subjects of either nation exercising privatesing against either of them were pirates; and even should this instance not be exactly parallel to the case in question, which concerns a Chilean privateer armed contrary to international law, that is to say, by the number of neutral subjects predominating in the crew, it proves nevertheless that Great Britain then admitted this principle, as she even did upon anterior occasions.

admitted this principle, as she even did upon anterior occasions.

Bendes, neutral Powers are under the obligation of prohibiting the armament and enlishment of their subjects to take part in hostilities against nations with whom they are at peace. An English subject, for example, who should make preparations to exercise privateering against Spain would commit an act against the laws of his country. If he does not act in conformity with the laws of Spain, who is the adversary whom he would injure, he knowingly and upon his own account runs the risk of the Spanish law being applied to him, and his own government has no right to extend protection to him, nor to oppose the measures adopted by the country against which the said subject had prepared to make war.

It appears to me unnocessary to point out the difference existing between the subjects of one nation enlisting in the war service of another and those accepting letters of marque—the first sorve the nation who employs them, the second act for their own profit at the expense of the commerce of the other belligerent.

Not knowing, I repeat, the principle upon which her Britannic Majesty's government bases its representations, her Majesty grounds her determination upon the opinions of the most accredited writers, and, above all, upon the precedent afforded in a much more severe form and with greater restrictions, by the French government, which accepted the declaration of Vice Admiral Baudin of the Sth January, 1839, against which it appears no foreign government, which accepted the declaration of Vice Admiral Baudin of the Sth January, 1839, against which it appears no foreign government these reasons and precedents, taken into account by Spain in adopting the measure forming the subject of the note to which I reply. I renew, &c.

M. BERMUDEZ DE CASTRO.

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MADRIO, Dec. 11, 1865.

Sir.—Referring to the correspondence exchanged between her Majesty's Charge d'Affairs at Santiago and Admiral Pareja relative to the capture by the blockading squadron of the steamer Matias Consino, sailing under the English flag, her Majesty's Charge d'Affairs states that Admiral Pareja has announced that the prize court will be established on board his Excellency's flagship, the Villa de Madrid, and under his presidency.

I am instructed to direct the particular attention of her Catholic Majesty's government to this matter. A similar proceeding is, in the opinion of her Majesty's government, new, inadmissible and contrary to the principles of international law, which establishes the regulations of the reciprocal rights and obligations of belligerents and neutrals in maritime warfare.

Neutrals have the incontestable right of being tried before a duly constituted tribunal in the country of the captor, with all the formalities of justice; they are entitled to employ agents and counsel, to a court properly so called, and to a tribunal of appeal.

Her Majesty's government will easily comprehend that the deck of a blockading flagship offers none of these indispensable requisites of international justice, in the full/ment of which the right of belligerents to detain a neutral is founded.

Her Majesty's government entertains no doubt that the government of her Catholic Majesty will entityly

the conditions specified in that order. Your Executions of the conditions specified in that order. Your Executions of the conditions specified in that order. Your Executions of the conditions specified in that order. Your Executions of the conditions of the condition of

## SCENES OF HORROR.

The Details of the Loss of the Australian Steamship London.

Heartrending Incidents of Heroism and Suffering.

Two Hundred Doomed Beings Waiting for Death.

Actor.

NOBLE CONDUCT OF THE CAPTAIN

He Refuses to Save Himself and Goes Down

MARVELLOUS ESCAPE OF THE SURVIVORS.

Burke street, Melbourne; Mr. McLean, owner of extensive baths, opposite the Albion Hotel, Melbourne, who had brought his son to be educated in England, and Mr. Barnett, Russell street, Melbourne, were among those who perished.

Barnett, Russell street, Melbourne, were among those who perished.

BROOKE, THE TRAGEDIAN.

Down into the waves with two hundred and sixty-nine others has senk Gustavus V. Brooke, the famed tragedian, who was bound for the country which had been the scene of a reverse of fortune to him, but previously of many brilliant successes. He will be well remembered as a tail man, of powerful build, and he is stated by the reacued passengers to have exerted his strength to the utmost in helping to keep the ship afloat. The Dutch portion of the crew, twenty-one in number, refused to work, and, according to the English sailors who were saved, these men went to their berths and remained there, so that the passengers had a work at the pumps for many hours with the English seamen. Mr. G. V. Brooke exerted himself incessantly. Attired only in a red Crimean shirt and trousers, with no hat on, and barefooted, he went backwards and forwards to the pumps until working at them was found to be weeless, and when last seen, about four hours before the steamer went down, he was leaning with grave composure upon one of the half doors at the companion. His chin was resting upon both hands, and his arms were on the top of the door, which he gently awayed to and fro, while he caimly watched the scene. One of the passengers who saw him has said, "He had worked wonderfully, and, in fact, more bravely than any man on board of that ship." To the steward, who made himself known, Mr. Brooke said, "How succeed in saving yourself, give my farescell to the people of Melbourne.

Cause of the Manual Explosion.

Cause of the Cause of the explosion of the people of Methours.

Next most be mentioned a circumstance the publication of which may prove of great importance. Mr. Whom he had been acquainted prior to the voyage, said to him, "Well, Jack, I think we are going to go." The answer was, "I think we are going to go." The answer was, "I think we are going to go." The hank of Victoria, Baliarat, I only received twenty pounds, which I gave to the captain in the office of Money Wignam & Co. I should have liked my poor father to have perished, but, fortunately and singularly shough, his communication was made to one of the three surviving passengers, and as the deceased Mr. Eastwood father is known to live near Liverpool, the probability is that fervent that Mr. Eastwood shed tears as he expressed it.

STICKING BY WIFE AND CHILD.

One of the passengers in the boat—Mr. John Wilson, a native of Montrose—went down into the cabin and endowored to persuade a friend—Mr. John Birkman, from the communication of the captain in the office of the mature of Montrose—was the work his life by long into the boat; but, after being entreated, he said, "Mr. Jeromical my wife and children from the meaning of the manual and the corpess of the manual and the said of the corpes of the manual and the corpes of the manual and the corpes of downed women and children from the foreign of the control of the water. This was done; and then he shock hands with Mr. Wilson, with its wife and children from the corpe of the water. This was done; and then he shock hands with Mr. Wilson, with its wife and children from the opporation of the control of the control of the water. This was done; and then he shock hands with Mr. Wilson, with the section of the water and before the boat put off; but probably they had perished by that time, as the water had before the pound of

PUGILISM.

SHIPPING NEWS. Port of New York, February 4, 1866.

MISCELLANEOUS.

The commer Kevening flux brought came of the reverbroad for Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the Neverman of the New Semples. The offeren and most of the Neverbroad for Semples. The offeren and most of the NeverThe statemer Kerning flux broad and the statement of the New Semples.

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Sense of P. M. Invalidant a distance may consult by issues.

the London district, on the 23d of February next

Figure for the Championship of Mentama
Between Con Orem and Passey Marsley.

(From the Montana Post, Jan. 4)

On New Year's Day Passey Mariey, of New York, and
Con Orem, the Colorado Champion, met for their third
and final passage of arms in the prize ring at Leviathan
Hall, which was fitted up for the occasion. The result
was the complete victory of Orem, who, by hard hitting,
science and pluck, knocked his man out of tune and
time in ninety-nine well fought rounds, occupying two
hours. The victor came of without a black eye, and recoived only a cut thy, by way of "Passey Markey—his
mark." He was walking around, all comfortable, during
the evening. A fall in Mariey's corner at the thricenth
round aprained Orem's right wrist badly, and he carrier
round sprained Orem's right wrist badly, and he carrier
his arm in a splint and sling. Mariey, we are told, has SODA WATER APPARATUR FOR HOTTLERS AFE Struggless Pressure, was awarded to these machines in 1888. He was a series of the machines in 1888. He was a catalogie to WILLIAM GER. corner of Rim and Franklin streets, New York. Established to 1897.